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COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

SUPERIOR COURT DEPARTMENT  
OF THE TRIAL COURT

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COMMONWEALTH OF MASSACHUSETTS,

v.

KAREN READ.

\* \* \* \* \*

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\* Docket No. 2282CR00117

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JURY TRIAL  
OPENING STATEMENTS  
BEFORE THE HONORABLE BEVERLY CANNONE  
TUESDAY, APRIL 1, 2025

APPEARANCES:

For the Commonwealth:

BY: HANK BRENNAN, A.D.A.  
ADAM LALLY, A.D.A.  
LAURA MCLAUGHLIN, A.D.A.

For the defendant:

BY: DAVID YANNETTI, ESQ.  
ALAN JACKSON, ESQ.  
ELIZABETH LITTLE, ESQ.  
ROBERT ALESSI, ESQ.

Courtroom 25  
Dedham, Massachusetts

Christine D. Blankenship, CVR  
Court Reporter/Transcriber

I N D E X

Page:

**OPENING STATEMENTS**

By the Commonwealth:

3

By the Defendant:

27

1 (Court in session.)

2 (Defendant is present with counsel.)

3 (Jury in.)

4 (Opening statements commence at 10:05 a.m.)

5 **OPENING STATEMENT OF THE COMMONWEALTH**

6 **BY MR. BRENNAN**

7 MR. BRENNAN: Thank you, Your Honor. At 6:04 a.m. on  
8 January 29, 2022, the alarm bell sounded in the Canton Fire  
9 Department. Firefighter Paramedic Timothy Nuttall knew what  
10 that meant. His heart skipped a beat. He raced to his  
11 equipment and he picked up his bag, which was meticulous.  
12 There was a sign and a signal, and there was a voice  
13 commanding that there was a cardiac arrest, the most  
14 serious of calls for a firefighter paramedic. That means  
15 that a person's heart was stopped. He didn't know who it  
16 was. He didn't know where it was. He took his bag, and he  
17 juts out of the station and he rushed to the ambulance. He  
18 was one of the most senior paramedics that morning.

19 Another paramedic, Anthony Flummatti, will be running  
20 this mission. He jumped in the back of the ambulance, the  
21 door shut, and they headed off to 34 Fairview Road.

22 As they drove, Firefighter Nuttall could not see  
23 anything. He couldn't hear anything, other than the engine  
24 of the fire -- of the ambulance. He could feel it sliding  
25 across the road. It was near blizzard conditions. He

1 calmed himself; he steadied himself. This is what the  
2 firefighters and paramedics are trained to do: focus. And  
3 he focused on his task. He looked around the back of the  
4 ambulance to make sure all the tools were in place. The  
5 ambulance was meticulous as well. This was Anthony  
6 Flummatti's ambulance, and it was well-stocked.

7 He calmed himself and he thought about what was going  
8 to happen: What should he be looking for? What is his next  
9 steps? He played the scenarios through his mind, an eerie  
10 calmness about him.

11 As the car pulled up to 34 Fairview, the ambulance, he  
12 stood at the back door and the door's opened, and he  
13 stepped out into bedlam. He could hear a woman screaming  
14 and shrieking, the cold hard air slapping on his face, and  
15 the wind, blizzard conditions, swirling around him. You  
16 will hear him tell how he trudged towards those screams in  
17 the darkness of the snow, and when he got there, he saw  
18 three women surrounding a man lying, not moving, on the  
19 ground. He walked up to the man and he reached down and he  
20 tried to find any signs of life - a pulse, anything - and  
21 he found nothing.

22 And he got up and he walked over to the women and he  
23 walked over to defendant, Karen Read, and he told her that  
24 he thinks that that man was gone. And then he heard the  
25 yell from Anthony Flummatti, the chief, and he said, "Come

1 back. Let's go." Because you'll learn that in the cold,  
2 even if somebody's heart stops, even if they're presumed to  
3 have passed, sometimes you can still save a life. So  
4 you'll see on a dash cam video, and you'll hear from  
5 testimony, he went back to that man who was John O'Keefe.  
6 He went back to him and that crew, a coordinated effort,  
7 they did everything they could to save his life. They got  
8 on their knees. They began CPR, and Firefighter Nuttall  
9 will explain as he kneeled over John O'Keefe, he looked up  
10 and the defendant approached him. And you'll see it on the  
11 video.

12 Now, he wanted any information because when you're  
13 trying to save someone you want to know, are they on drugs,  
14 medication, do they have a heart condition. And he looked  
15 up at Ms. Read, and he said, "What happened?" And you'll  
16 hear her words through Firefighter Nuttall, she said, "I  
17 hit him. I hit him. I hit him." And it was at that time,  
18 through the words of the defendant, that she admitted what  
19 she had done that night, that she hit John O'Keefe.

20 Now, those words didn't mean anything to Firefighter  
21 Nuttall. They weren't in context. They didn't reconcile  
22 with the injuries. They didn't help him with his treatment  
23 so he ignored it.

24 Now, Firefighter Nuttall is not a police officer. He  
25 is not an investigator. He is not a detective. He is a

1 first responder. And so he takes that information, it was  
2 useless to him, and he continues to work on John O'Keefe  
3 trying to save his life. You will see the team put him on  
4 a stretcher, and when they lift him from the ground, even  
5 though there is snow accumulating, underneath John O'Keefe  
6 is simply grass, hard ground frozen. Underneath his body  
7 lay his cell phone.

8       They bring him to the ambulance. And when they bring  
9 him to ambulance, you'll see on the videos that other first  
10 responders speak to the defendant. One first responder,  
11 Mr. Flummatti, she will say, "I hit him. I hit him. Oh, my  
12 God. I hit him." And then she was interviewed or asked  
13 questions for background information, not a criminal  
14 investigation, just background to try to help John. And  
15 she was asked questions about his background. During that  
16 conversation, you won't hear it but you'll see, the  
17 defendant with a person by the name of Jen McCabe and  
18 Firefighter McLaughlin, and she tells Firefighter  
19 McLaughlin, the third first responder, "I hit him."

20       They bring Mr. O'Keefe to Good Samaritan Hospital and  
21 his body is cold. The doctors work feverishly. They treat  
22 him trying to save him. They try to warm his core, and  
23 unfortunately, Firefighter Nuttall's first instinct is  
24 accurate. John O'Keefe passes.

1        So why are we here today? We are here today because  
2 John O'Keefe was killed by the actions and conduct of that  
3 defendant, Karen Read.

4        You will learn through this case facts, through facts,  
5 science, and data, you will learn that on January 29, 2022,  
6 when the defendant and Mr. O'Keefe were in front of 34  
7 Fairview Road, all the way to the left side in a dark  
8 corner near a flagpole, you will learn that Mr. O'Keefe got  
9 out of the car. He got out, and he stood by the side of  
10 the road after an argument with the defendant. That  
11 argument and that anger fueled by heavy intoxication, you  
12 will learn from the science and data as he stood by the  
13 side of the road, the defendant in her SUV drove away. She  
14 drove at least 35 feet away. The argument was over. It  
15 had ended. But then she stopped. She stopped. She put the  
16 Lexus into neutral, and she waited two minutes. And the  
17 facts and the science and data will tell you that despite  
18 the fact the argument was over, she then put the Lexus into  
19 reverse, put her foot on the gas pedal, and began to press  
20 not 25 percent, not 50 percent, up to 75 percent  
21 acceleration. There was a light dusting of the snow. The  
22 Lexus tires spun backwards. She went backwards at least 70  
23 feet. She clipped John O'Keefe. He fell backwards, hit  
24 his head, broke his skull, and there he lay at the corner  
25 of Fairview Road on the ground lying on top of his cell

1 phone alone. And then the defendant will later tell that  
2 when she left, he didn't look mortally wounded, yet he was,  
3 and she simply drove away.

4 Now, before I tell you about the data and the facts  
5 and the science and I walk you through that, I'd like to  
6 tell you a little bit about John O'Keefe.

7 John O'Keefe was a young man, a local kid. Very well-  
8 liked. Well, John O'Keefe is the son of Peggy O'Keefe,  
9 John O'Keefe, Senior, and the brother Paul O'Keefe. He  
10 grew up in Canton, worked hard. He became a police  
11 officer. But what you're going to learn the fact that he  
12 worked for the Boston police officer -- as a Boston police  
13 officer was just a fraction of his life. It was a small,  
14 really unimportant part, because the biggest part of John  
15 O'Keefe is he was a family man. Not in the traditional  
16 sense. You see, John O'Keefe never had biological  
17 children. John O'Keefe was never married. But John  
18 O'Keefe had a sister and she had two children, and when the  
19 children were six and three years old, his sister,  
20 unfortunately, died. And shortly after, the sister's  
21 husband died.

22 Now, John O'Keefe was at home. He didn't sit by. He  
23 saw these two recently orphaned children, and he stepped in  
24 and he said he was going to raise them. So he put aside  
25 his career, and he put aside his job, and he moved in with



1 the children and he raised them like they were his own.  
2 They were his passion, his love. He was a new parent.  
3 There's successes, failures, like all parents, and he  
4 raised the children with help of people in the community,  
5 with the help of his brother, with the help of his family.  
6 And they lead a good life.

7 Enter Karen Read. Around COVID, the defendant and Mr.  
8 O'Keefe reacquainted, and they started a relationship. And  
9 you'll hear that even though the defendant had her own  
10 home, she was staying with Mr. O'Keefe a lot - four, five,  
11 six times a week, and to most of the world, it was a pretty  
12 good relationship. They spent time together. They did  
13 activities with the children together. She helped with  
14 driving the children, feeding the children. It was a  
15 steady relationship until about the beginning of 2022, and  
16 then things began to unravel. There was tension. There  
17 was arguments. In fact, just a few days before this  
18 incident, you will hear that Mr. O'Keefe asked her to  
19 leave, but she wouldn't.

20 You are going to be able to read text messages of their  
21 conversations on January 28, 2022, and you will see the  
22 tension and the unraveling of the relationship. You will  
23 read about the discord between the defendant and Mr.  
24 O'Keefe. You will see that when he would ignore her calls,  
25 they would become incessant. When he would try to push

1 away, she would come closer. You will read those text  
2 messages, and you will realize that this was the beginning  
3 of the end of this relationship.

4 That night, they decided they would go out together.  
5 And I want to tell you something about data and science  
6 before we get into that night. I mentioned that underneath  
7 John's body was a cell phone. A cell phone is an amazing  
8 piece of technology. It is like a computer. It carries  
9 extraordinary data, and when they found the cell phone, the  
10 only thing companion with John O'Keefe that night, they  
11 studied the cell phone, and there will be some remarkable  
12 data that you will use in this case to find the truth.

13 I want to mention three different things you will find  
14 in the cell phone that are critical to this case. And the  
15 first is called location data. Waze we've all heard of,  
16 Google maps, well, at some point that night, John put his  
17 Waze on. And Waze is like a breadcrumb. It'll show you  
18 exactly where the phone goes second by second. It is the  
19 strongest, most accurate location data that you can have,  
20 and that night John was using Waze. It also will have  
21 healthcare data. Healthcare data will show when somebody  
22 is moving. Sometimes it's qualified as steps, but it  
23 doesn't necessarily mean someone is stepping. They can be  
24 moving their arms, walking, turning. It doesn't show what

1 direction or how far, but it shows movement of a person.  
2 Health data.

3 And the third thing, remarkably there will be an expert  
4 in this case who found a data file in the phone and it  
5 tracks the temperature of the cell phone battery. That  
6 will be critical to your analysis of this case, the  
7 temperature of the cell phone battery.

8 And so with that, I want to take you back to the  
9 timeline of that night. After the discord, both the  
10 defendant and Mr. O'Keefe decided they would meet at a bar  
11 called McCarthy's. Now, McCarthy's is a local bar. A  
12 blizzard is pending and people are getting together in a  
13 celebratory mood. They go to my McCarthy's, and you'll see  
14 a video of McCarthy's, and you will watch Mr. O'Keefe,  
15 friends, and the defendant drinking alcohol, and you will  
16 count eight vodka drinks that the defendant drank. They  
17 arrived at 8:50. They stayed until 9:45. She consumed at  
18 least seven of those drinks in less than two hours. The  
19 last drink you'll see where they leave the bar, she puts it  
20 under her jacket, and they walk out as they go to another  
21 bar and meet other friends called the Waterfall.

22 They reach the Waterfall sometime around 10:00 p.m.,  
23 and when they go into the Waterfall, you will see a video.  
24 And when I said celebratory mood, you will see a group of  
25 friends of John O'Keefe, many who were friends with Karen

1 and John, and you'll see them clapping and happy and,  
2 joyous. You'll see many hugs between John O'Keefe and his  
3 friends and the defendant and many of the people there.  
4 And they spend some time together, there's drinking, and  
5 they all do a shot. That will be at least the eight drink  
6 within three hours that she consumed.

7       You will see from the data, not just the cell phone  
8 data, but there's some other very important data and the  
9 other piece of data that goes hand in glove with the cell  
10 phone is information on the defendant's Lexus vehicle  
11 chips. You might've heard a black box in an airplane when  
12 there's some type of event, it captures a small amount of  
13 time, well, that was captured in the defendant's Lexus.  
14 That black box of information with the cell phone data will  
15 tell you everything you need to know in this case. It will  
16 bring us step-by-step through the entire night to the death  
17 of John O'Keefe.

18       And so they leave the Waterfall bar at 12:12, and you  
19 will see that the ignition goes on to the defendant's  
20 Lexus, and both John O'Keefe and the defendant in the car,  
21 and they decide that they're going to go back to 34  
22 Fairview Road, where we talked about earlier. They're  
23 going to go there for a get together for one of the  
24 homeowner's sons who's having a birthday party. And so as  
25 they drive back, you will be able to follow them through

1 this location data. When they go back to Fairview, they  
2 don't know exactly where it is and they get lost. And so  
3 John O'Keefe makes a phone call, and the phone call is with  
4 one of his friends, Jen McCabe. And during that phone  
5 call, which the defendant listens to because she recounts  
6 it, in trying to get directions, Jen McCabe tells John  
7 O'Keefe, "It's near (c) 's mom's house." You'll learn  
8 that (c) or her mom was somebody that John had dated  
9 before Ms. Read.

10 And so as they make their way to Fairview, you will see  
11 that there's a road that comes back, a loop and that leads  
12 to Fairview. They take a wrong turn in the loop, and then  
13 they do three point turn in the driveway. You will see the  
14 exact, precise driveway they turn into because some type of  
15 acceleration will then trigger that black box in the Lexus.  
16 And that's important because it's seven minutes before the  
17 collision.

18 And you'll see from the Waze exactly where the car was.  
19 You'll see from the black box the event of the three point  
20 turn in the driveway, and then they turn down to Fairview.  
21 But before they get there at 12:23, a truck was coming the  
22 other way. And the witnesses in that truck will say they  
23 blinked the lights. One of them saw a man and woman in the  
24 car, John and the defendant, and then they followed the  
25 Lexus because they were going to the same house. The truck

1 stopped at the driveway and the Lexus, the defendant's car  
2 you will hear, because of the Waze, would be counting  
3 second to second, never stops, it rolls very slowly all the  
4 way to the end of the yard in the corner where there's a  
5 tree line and a flagpole, and they reach that location at  
6 12:34:33, and they're in the car and they stay there. The  
7 truck waits. They speak to somebody in the house who comes  
8 out. The person goes back in the house and they're there  
9 for about five minutes. We're now down to two minutes  
10 before the collision. The truck leaves, and now it's just  
11 that defendant and John. And while they're waiting outside  
12 at 12:27, John gets a text from Jen McCabe. "Park behind  
13 us in the driveway." 12:29 she texts again, "Are you  
14 coming in?" You'll hear that Jen McCabe and others looked  
15 out the window and see the defendant's Lexus in front of  
16 the flagpole at the far end. It's snowy, it's dark, it's  
17 windy, they're waiting. You will know that John O'Keefe  
18 was in that car, that Lexus and didn't leave because his  
19 healthcare data is not moving. It's not moving until  
20 12:31:56. At 12:31:56 he begins to move. He will have 20  
21 seconds before he falls. Twenty seconds.

22 He gets out of the car, the Lexus, and in that 20  
23 seconds, you'll hear that user initiated, he looks at the  
24 phone, at the text message from Jen McCabe. It is now  
25 12:32:09. He closes the phone for the last time last time.

1 It will be the last time he uses that phone. From the  
2 Waterfall Bar, you'll see that he keeps it in his back  
3 pocket.

4 And at that time 12:32:09, the last user, he has seven  
5 more seconds, he will move before he lies dormant for the  
6 rest of the night.

7 You'll also have the information from the defendant's  
8 Lexus the black box. Now, the clocks run differently.  
9 There's a 30 second variance, but it's right in the heart  
10 of that time. And you will see through the data at that  
11 time when he makes his last moments with his phone is when  
12 her car leaves 34 feet at least stops in neutral, and then  
13 shoots into reverse with the tires spinning right towards  
14 him right where he got out.

15 You'll know they're arguing because the next morning  
16 she tells the firefighter, "I'm sad because our last  
17 moments were fighting."

18 She drives away. As I said, she's made later  
19 statements that when she left he didn't look mortally  
20 wounded. He lied on the ground on top of his phone, light  
21 dusting of snow. The snow now picking up, and he's just  
22 there. It's 12:37 at that point. When he's in the car  
23 before he gets to Fairview, the battery temperature of that  
24 phone is 77 degrees, 77 degrees in the warm car. Now that

1 he's been outside the car for five minutes, it drops to  
2 seventy-two degrees.

3 She drives to his house. She makes a phone call at  
4 12:33 after she left Fairview. She calls again at 12:36:33  
5 and leaves a message and you'll hear it. And you will hear  
6 the anger and rage in her voice. She leaves a message,  
7 "John, I fucking hate you." Pardon my language. You will  
8 hear the simmering. And as she leaves that message, he  
9 lies on the side the road. He gets another text message  
10 that's unanswered from Jen McCabe, "Where are you?" 12:45,  
11 battery temperature is 61 degrees. It's snowing.

12 He gets almost 40 calls from the defendant that night  
13 and his phone rings, but it never answers. You'll hear  
14 from an expert that the light never initiates healthcare  
15 data, it never moves. It is John alone with his only  
16 companion, his phone. At 12:53, his cell phone drops to  
17 almost 60 degrees. 12:59, the defendant leaves another  
18 message on John's phone. Now, she hasn't spoken to anybody  
19 and nobody has spoken at her, but her message was telling.  
20 You'll learn the message says, "John, nobody knows where  
21 you are." And this is where the plot and the cover-up  
22 begins.

23 The evidence will make clear that she knew he was  
24 there, but she did not call 911. She did not go back to  
25 him. She did not leave an anonymous email. She left him.



1 The night wears on. It's now 1:07. The battery temperature  
2 55 degrees. 1:14, she calls her mother. No answer.  
3 1:14:53, battery temperature 50 degrees. The defendant had  
4 healthcare data on her phone as well, and you'll hear that  
5 it stops around that time, and you'll later learn that she  
6 admits to falling asleep or passing out, but then she  
7 wakes. It's five o'clock. She is frantic. She wakes up  
8 John's niece, and she is unintelligible. She is yelling.  
9 She's screaming. She asks for the niece to call Jen  
10 McCabe. She calls Jen McCabe, and you'll hear Jen McCabe  
11 recount out of a deep sleep she wakes up and she hears,  
12 "Jen, Jen, Jen," screaming Jen's name. "John's dead."  
13 Hangs up the phone. Jen McCabe calls back, and then she's  
14 what's going on. And she's told, "Well, I left him at the  
15 Waterfall." That's the beginning of the cover-up. She tells  
16 Jen McCabe, "I left him at the Waterfall," and Jen calls  
17 back and says, "We saw you out front. You didn't leave him  
18 at the Waterfall." She hangs up. She, then, minutes later,  
19 calls another person, Kerry Roberts, a friend of John  
20 O'Keefe. Someone who is not friends with the defendant,  
21 but they know him because they helped raise the kids and  
22 they interacted. She had nothing to do with the night  
23 before. She wasn't at the bar. She was at home with her  
24 family. She calls her and says, "I think John got hit by a  
25 plow. I think he's dead."

1        Now Kerry, with that information, calls 911. She calls  
2 hospitals. You can hear her voice. She's concerned about  
3 him. And then she gets another call from the defendant,  
4 and she tells the defendant come to my house, and I will  
5 help you look for him. And the defendant says, "I was so  
6 drunk last night, I don't remember anything."

7        Waiting for her to arrive, she learns she doesn't  
8 arrive. Instead, the defendant goes to Jen McCabe's house.  
9 Kerry Roberts, the other friend, then goes to Jen McCabe's  
10 house, pulls behind the car, and when she does, she's on  
11 Bluetooth, and she can hear the defendant saying, "My  
12 taillight's broken. My taillight's broken." And she looks  
13 and there's snow packed on the right taillight and she can  
14 see a piece of the taillight missing. The defendant  
15 desperately wants to go to 34 Fairview Road. Kerry Roberts  
16 takes over and says and says, "We're going to go back to  
17 John's house. Maybe he's in the house and you didn't see  
18 him." So both cars are driven by Kerry Roberts and then  
19 Jen McCabe, with the defendant, go back to John O'Keefe's  
20 house. You'll see a Ring video where you'll see them go in  
21 the house and they look around. You'll hear about the  
22 women, Jen and Kerry, enlisted into this task look for John  
23 O'Keefe. They cannot find him, and then when Kerry Roberts  
24 comes into a room she sees, rather than looking the  
25 defendant simply standing there staring at the wall. At

1 that point, the defendant insists they've got to go back to  
2 Fairview Road. They decide they'll take one car. Kerry  
3 Roberts is taking charge. She's going to drive. They  
4 leave Ms. Read's Lexus in John O'Keefe's driveway, and they  
5 drive back towards 34 Fairview Road. You'll hear there  
6 were blizzard like conditions. It is dark. They can  
7 barely see a thing. And when they get close to the edge of  
8 34 Fairview, you'll hear the defendant started to scream,  
9 "There he is." Both women look and they can't see  
10 anything. She starts kicking the door. The defendant is  
11 kicking the door, "Let me out." So Kerry Roberts stops the  
12 car and lets her out, and she sees the defendant run  
13 exactly to where John O'Keefe is in the darkness just where  
14 she left him.

15 Kerry gets out of the car, starts to walk towards where  
16 the defendant is and she sees the defendant lying on a  
17 body. She can't tell who it is because the face is still  
18 covered with snow, and she comes over and looks and she  
19 wipes off the snow from John O'Keefe's face. She realizes  
20 it's one of her best friends in the world - it's John  
21 O'Keefe. And she starts to try to do first aid. It starts  
22 movement. And coincidentally, at 6:06 when they start to  
23 move him, the cold air hits that cell phone battery and  
24 drops from 50 to 43 degrees. And they try. Jen McCabe  
25 calls 911. And that's when a police officer arrives,

1 Firefighter Nuttall and his crew. And when they lift him,  
2 that cell phone battery that shot down to 37 degrees, Kerry  
3 Roberts picks up, puts it in her pocket, and it immediately  
4 starts to warm as she moves, the health data showing  
5 movement starts again.

6 At that point, nobody knows what happened. The Canton  
7 Police Department come. You can see their police cars and  
8 their cruisers. They're not sure so they look in the area  
9 where John's body is, and they find a glass from the bar  
10 near his body. They find blood spots. They try to put the  
11 blood spots in plastic containers. They don't know what  
12 they're looking for at this point. There's no information.  
13 They don't believe or know that there's a crime. They just  
14 know that John O'Keefe's somehow ended up here with the  
15 broken glass and the blood.

16 And so that morning, you can see the work of the Canton  
17 Police Department try to uncover a little bit around his  
18 body to see what they could find, which was very little.  
19 And then, Kerry Roberts goes and picks up Peg O'Keefe,  
20 tells her the news, and they go to the hospital. They go  
21 to the Good Samaritan Hospital and Kerry Roberts is  
22 walking, and Peggy O'Keefe is going to go see her son with  
23 her husband, and she walks down the hall, Karen Read is  
24 also in the hospital. See, there was some reports that  
25 maybe she was upset or suicidal, so they sectioned her.

1 They put her in for evaluation to make sure she was safe.  
2 And you'll hear from Peg O'Keefe tell as she walked down  
3 the hall to go see her son, the defendant was screaming,  
4 "Is he dead? Is he dead?" And she walked by Karen, I  
5 believe she stopped and she said, "Karen, what happened?"  
6 And you'll hear that Karen who was excitedly yelling, "Is  
7 he dead?" stops her excitement, becomes stoic and doesn't  
8 say a word.

9 Peggy pays respects to her son, and then she has to go  
10 back home because she has to tell the children.

11 Now, while she's out the Canton Police Department would  
12 send an officer to the house to make sure the children were  
13 safe because they're alone if they're home. And when the  
14 officer pulls in, he doesn't notice anything, but you'll  
15 see on the dash cam video, his dash cam video notices  
16 something, the taillight has a big missing piece to it.

17 They can't find the children. Ultimately, Peggy comes  
18 home. A friend had taken them, and they bring his nephew  
19 home and he is distraught. And then Peggy hears a knock at  
20 the door. It is the defendant and her father. They want  
21 to come in. They come in. No condolences to Peggy, and  
22 they ask, "Can we go upstairs to John's room?" and she's  
23 busy consoling her grandson. They go upstairs. They're  
24 upstairs for about 15 minutes. They come down, and quickly  
25 they leave.

1        Now, they got there from I think the defendant's  
2 brother drove his wife and the father to that house. But  
3 when they leave, they take two cars. They take the Lexus  
4 with the broken taillight with them back to the defendant's  
5 father's house.

6        And you will learn that when police start getting some  
7 of the information, they learn about the broken taillight,  
8 they learned information that she had told people that she  
9 had hit him, they went down to see her. And on the way  
10 down, they decided they would get a warrant to take the  
11 Lexus.

12        When they get down to Dighton where the car is, you'll  
13 hear from Trooper Bukhenik, he took a look and he could see  
14 the missing piece of the taillight.

15        They went in and spoke briefly to the defendant. They  
16 took the car. They brought it back to Canton. And so what  
17 you'll learn from the forensic evidence that will help with  
18 the science and data is that not only was a cell phone left  
19 behind, but also around that area, broken taillight was  
20 littered around John O'Keefe's body, littered around that  
21 area. When they got to the hospital, they noticed there  
22 was a shoe missing. As time went by, snow melted. They  
23 found, in the investigation, they found the shoe on a  
24 little berm on the road between the street and the grass.

1        You'll learn days later when they did a planned  
2 excavation, the found his hat frozen to the ground.  
3 Ultimately, they would find over the course of ten days as  
4 the snow melted almost all, every piece of that broken  
5 taillight in that area - the hat, the sneaker, and the  
6 glass.

7        Where the defendant left Mr. O'Keefe behind, she took  
8 with her something of Mr. O'Keefe. It's called trace  
9 evidence. You'll learn on the back of her Lexus around the  
10 taillight area was John's DNA had stuck to the side  
11 grasping one last piece of John O'Keefe's hair.

12        Now, John O'Keefe fell backward and hit his head after  
13 he was clipped by the car. And you're going to hear from a  
14 very renowned doctor, a neurosurgeon, who has treated  
15 thousands and thousands of head injuries, and the wound on  
16 the back of the head when he fell backwards not only  
17 cracked his skull, called a basal fracture, it created an  
18 injury called contrecoup back when he was clipped by a car  
19 and fell backwards and hit his head on that hard rock  
20 ground. Remember, there's no snow. Just a dusting at this  
21 point. The back of his brain hits the back of his skull,  
22 bounces up, and when it bounces up, it leaves marks showing  
23 that impact. And this neurosurgeon will tell you, he's  
24 treated thousands of patients, that this injury to a

1 reasonable degree of medical certainty is contrecoup caused  
2 by falling backwards and hitting your head.

3       When the medical examiner for the state looked at it,  
4 they generally said blunt force trauma. They had it as  
5 undetermined, so we brought it to a renowned surgeon who  
6 does exactly this. You're going to also hear from an  
7 accident reconstructionist whose name is John Welcher. He  
8 does not work for the state police or local police. He was  
9 hired to take a look at this case and the data, and he will  
10 come in and explain to you exactly what I talked about -  
11 how the data from that black box coincides with the cell  
12 phone and the movements of the car the moments before,  
13 during, and after the defendant struck John O'Keefe with  
14 her car.

15       Now, just a few more things I want to share with you.  
16 There are three charges against the defendant in this case.  
17 The first one is second degree murder. When most people  
18 hear murder, they instantly think shooting somebody,  
19 stabbing somebody, planning to kill, deliberate  
20 premeditation. Her Honor will instruct you on the law.  
21 I'm not going to trample on that area, but I can tell you  
22 clearly we are not going to try to prove that Karen Read  
23 tried to kill John O'Keefe. We're not going to try to  
24 prove to you that she intended or wanted him dead. That's  
25 not second-degree murder. What we will prove to you is she



1 engaged in intentional act, driving back at him at that  
2 speed in a storm, in the dark, knowing that he had just  
3 gotten out of her Lexus. She intended that act which would  
4 cause a plain and strong likelihood of death. That's what  
5 we will prove to you with second-degree murder.

6 Also, operating under the influence of  
7 alcohol/manslaughter. We will prove to you that she drove  
8 her Lexus recklessly. She hit John O'Keefe and she because  
9 she hit him, he fell back. She caused his death. The  
10 third charge is leaving the scene after knowingly causing  
11 death. Again, she hit Mr. O'Keefe with a car. She knew he  
12 was injured. She left him behind, and he died. That's  
13 what we'll prove.

14 This case will come down to the science and the data.  
15 Science and the data the cell phone, it is the best of  
16 historians. It doesn't suffer from intoxication. It doesn't  
17 suffer from memory loss. It does suffer from emotion and  
18 pride or prejudice. It is facts; it is data. And that  
19 facts and data will lead you to the truth in this case.

20 But after Ms. Read was charged, she began what you'll  
21 learn is a campaign. A campaign to make public statements  
22 - "20/20," "Nightline," "Fox 25," a documentary. And we've  
23 had an opportunity to get many of those statements and the  
24 footage and we're going to show much of it to you. And her  
25 statements to you will confirm what you already know from

1 the science and the data, what you will already conclude  
2 from the facts independent about what she did that night.  
3 Her word is simply confirmed that your judgment is sound,  
4 and you're going to hear from her own lips as many of her  
5 statements, her admissions to extraordinary intoxications,  
6 her admissions to driving the Lexus, her admissions to  
7 being angry at John that night. And I daresay, her  
8 admissions that she told that she had hit him.

9 I'd like to play for you clip one, and you're going to  
10 hear the first of the statements that she made after she  
11 was charged.

12 (Whereupon, a video was played for the Court.)

13 MR. BRENNAN: Ladies and gentlemen, I simply ask you to  
14 follow the evidence, follow the science, follow the data,  
15 ignore speculation, surmise, conjecture. Stay true to the  
16 evidence. It will lead you to the truth that on January  
17 29, 2022, a very intoxicated defendant was angry and  
18 arguing about the relationship with John O'Keefe, and after  
19 the fight was over, she left, but she brought the fight  
20 back to him in the form of her SUV. She clipped him. He  
21 fell backwards. He broke his head. And then this man, who  
22 helped, a lifetime of help, was left at the corner of that  
23 yard left to die with no help.

1       The facts, the data, and the evidence will bring you  
2 the truth, and the defendant's own words will confirm  
3 everything you've already concluded.

4       THE COURT: All right. Thank you. Mr. Jackson.

5       MR. JACKSON: Your Honor, if I could have just a moment  
6 to readjust.

7       THE COURT: Sure. The court officers will help.

8       MR. JACKSON: May I, Your Honor?

9       THE COURT: Sure.

10                   **OPENING STATEMENT OF THE DEFENDANT**

11                   **BY MR. JACKSON**

12       MR. JACKSON: The evidence in this case will establish  
13 above everything else three points. There was no collision  
14 with John O'Keefe. There was no collision. There was no  
15 collision. John O'Keefe did not die from being hit by a  
16 vehicle period. The facts will show that. The evidence  
17 will show that. The data will show that. The science will  
18 show that, and the experts will tell you that.

19       You'll learn that the Commonwealth has pinned its  
20 entire case on a brazen and a flawed assertion that is  
21 untethered, unconnected to the facts, and to the evidence.  
22 And their assertion is contrary to science because at the  
23 end of the day, folks, there was no collision with John  
24 O'Keefe.

1        So how did we end up here? How does Karen Read end up  
2 sitting in that chair on trial for something that literally  
3 never happened. Well, the evidence is going to explain it.  
4 And it can be summed up in the following text message at  
5 the very beginning of this investigation. A text message  
6 of a now fired Massachusetts state police officer named  
7 Michael Proctor. He was the lead investigator on this  
8 case, and he was talking about a fellow officer, a fellow  
9 cop, who owed the property where John O'Keefe's body was  
10 found. The text message with a buddy. The question, "Is  
11 the homeowner going to catch any shit?" Answer, "Nope, he's  
12 a Boston cop, too." That quote defines the lack of  
13 integrity of the Commonwealth's entire case, its entire  
14 investigation and this prosecution.

15        During the course of this trial, you'll learn much more  
16 about Mr. Proctor, why he said that, and what it really  
17 means. What you'll see and hear in this courtroom in the  
18 coming weeks is not just a story of a tragic loss -- and  
19 make no mistake, John O'Keefe's death is and was a tragic  
20 and -- a tragic, tragic loss. But the story you'll hear is  
21 about an investigation that was riddled with errors from  
22 the beginning, a rush to judgment, conflicted and corrupted  
23 from the start - corrupted by bias, corrupted by  
24 incompetence, and corrupted by deceit.

1        Finally, it was corrupted by a deliberate effort to  
2 avoid and to cover up the very truth that you are seeking.

3        You'll find when you hear the evidence of the  
4 Commonwealth's case is the literal definition a reasonable  
5 doubt. They won't be able to talk their way out of it.  
6 They won't be able to explain their way out of it. They  
7 won't be able to excuse their way out of it, and they can't  
8 meet their extreme burden of proof, which the Court will  
9 tell you, is beyond any and all reasonable doubt and to a  
10 moral certainty.

11        Members of the jury, Karen Read found John O'Keefe dead  
12 on the front lawn of a Boston police officer Brian Albert  
13 at 6:00 a.m. on January 29, 2022. Picture the scene.  
14 Blood curdling screams, ambulances, emergency lights on,  
15 fire engines, ladder trucks, paramedics, patrol vehicles,  
16 patrol cruisers, police officers, first responders,  
17 firefighters all swarming all over Brian Albert's lawn,  
18 literally feet under his bedroom window. Yet Brian Albert,  
19 a sworn police officer, a first responder himself, never  
20 came outside. Never went outside to see what the chaos was  
21 about. Never went outside to see if he could assist a man  
22 in need. Never walked outside his house to see if he could  
23 help a fallen fellow officer on his own front lawn. More  
24 shockingly, you'll learn that the lead investigator for the  
25 Massachusetts police, Michael Proctor, never stepped foot

1 inside Brian Albert's house that day. Never engaged in any  
2 investigation inside the house that day, even though a  
3 party with much alcohol, had just occurred in that house,  
4 and even though a Boston police officer was found dead or  
5 dying just mere feet from the front door on that lawn. He  
6 never secured the crime scene, never separated and secured  
7 witnesses, he never properly collected evidence. He never  
8 secured the evidence. He never searched for signs of a  
9 struggle or inside or outside the home. He never properly  
10 canvassed the neighborhood. Michael Proctor never did any  
11 of these things, even though a fellow officer, even though  
12 fellow officers of his, Michael Proctor, actually mentioned  
13 in their words, not mine, that it looked like John O'Keefe  
14 may have been, quote, in a fight.

15       You'll have questions about that conduct. During the  
16 course of this trial, you will find that the Commonwealth  
17 will not have answers. You'll see from the evidence in  
18 this case that this case carries a malignancy, one that is  
19 spread through the investigation, it spread through the  
20 prosecution from the very start, from the jump - a cancer  
21 that cannot be cut out. A cancer that cannot be cured, and  
22 that cancer has a name. His name is Michael Proctor.

23       And you didn't hear his name in the prosecution's  
24 opening statement. Not once. I suspect that was probably  
25 by design. But make no mistake about it, the evidence will

1 show in this case that Michael Proctor is the very  
2 definition of the Commonwealth's case, and is also their  
3 Achilles' heel. He was the lead investigator on the case,  
4 the case officer, the architect of the entire prosecution.  
5 You'll learn there's not a single part of this case, folks,  
6 not a single part that he didn't touch, that he didn't  
7 direct, that he didn't orchestrate personally - every  
8 single bit of it has his fingerprints on it.

9 You'll learn that Michael Proctor was a longtime family  
10 friend of the Alberts. And he's been disgraced by his own  
11 agency, not by us, by the Massachusetts State Police -  
12 investigated, suspended, and fired.

13 The evidence will show that Massachusetts State Police  
14 found him guilty -- found Michael Proctor guilty of  
15 bringing dishonor to the department for his conduct, not on  
16 some other case, not on some tangential case, in this case.  
17 The investigation of Karen Read. Conduct that included bias  
18 in favor of his friends, the all-powerful Albert family,  
19 and bias against my client Ms. Read, the outsider. Do you  
20 have any idea how hard it is for a state trooper to get  
21 fired? The evidence is going to show Michael Proctor  
22 earned it, every bit of it.

23 You'll hear that within hours of a Boston police  
24 officer being found dead on Brian Albert's lawn, Michael  
25 Proctor the lead investigator, who had investigated exactly

1 nothing up to this point right from the beginning, made an  
2 early pronouncement that Brian Albert himself was not going  
3 to, quote, catch any shit, end quote. And that was for one  
4 reason and one reason only. He's a Boston cop.

5 The evidence will show that Michael Proctor made the  
6 statement in a text conversation with his high school  
7 buddies. A text that he never thought would see the light  
8 of day, certainly never thought we would get a hold of.  
9 And when he thought no one was looking, he actually said  
10 the quiet part out loud. He's a cop, too. We'll give him a  
11 pass.

12 You'll learn that in Michael Proctor's world, rank has  
13 its privileges. The evidence will show that's privileges  
14 that you don't get and I don't get, but apparently a Boston  
15 police officer Brian Albert and his friends they do get.

16 You'll learn that in Michael Proctor's world he didn't  
17 care about finding the truth. In his world, his priority  
18 was to protect the brotherhood, to protect that blue wall,  
19 to protect his friends who were at the Albert's house that  
20 night.

21 I want to take a step back if I could and spend the  
22 next few minutes talking in a little bit more detail about  
23 what the actual facts in this case will show, not based on  
24 speculation, not based on surmise, not based on guesswork  
25 or conjecture, but the actual true facts that you will



1 learn through the course of this trial. On January 28,  
2 2022, it was a Friday night. John and Karen had made plans  
3 to meet up with friends for drinks. It was a happy, normal  
4 night for them. They were affectionate, they were loving,  
5 they were in good spirits. Nothing out of the ordinary.  
6 They started at a local watering hold called C.F.

7 McCarthy's. You've heard that name before and you'll hear  
8 it again. And eventually they made their way over to the  
9 Waterfall Bar and Grille, another bar where they ended up.

10 When they got to the Waterfall Bar and Grille, the  
11 Albert family was already there, already heavily drinking.  
12 You'll hear that this was no ordinary family, the Alberts.  
13 The Albert family was a well-known Canton family, some  
14 might even describe them as a very powerful Canton family.  
15 Brian Albert was there at the Waterfall. You'll hear that  
16 he's a long time Boston police officer. His wife, Nicole  
17 Albert, was there with him. His brother Chris Albert, a  
18 powerful Canton politician, he sits on the select board,  
19 the select board actually governs the police department,  
20 Canton P.D., he was there. His wife Julie Albert was  
21 there. Their daughter, Caitlin Albert, was there. His  
22 sister-in-law Jennifer McCabe was there. Her husband Matt  
23 McCabe was also there. They were all there drinking before  
24 John and before Karen ever arrived.

1        You'll learn that a man by the name of Brian Higgins,  
2 also a law enforcement officer and longtime friend,  
3 longtime pal of Brian Albert, he was also there. And the  
4 two of them, the two Brians had been drinking most of the  
5 night together.

6        You'll see video footage from the Waterfall which will  
7 show you that Karen and John were happy. They were  
8 affectionate, they were caring, they were loving, just  
9 business as usual, out on a date on a Friday night. But  
10 that exact same video footage will lead -- which lead  
11 investigator Michael Proctor plainly chose to ignore that  
12 video footage. It paints a very different picture of Brian  
13 Higgins. You'll learn that Higgins had romantic designs on  
14 Karen. That becomes important. Brian Higgins had engaged  
15 Karen in flirtatious texts. But days earlier, she put a  
16 stop to it. She ghosted him in common parlance. In other  
17 words, just ignored him.

18        The evidence will show that the first time he saw her  
19 and was in her presence after being rejected by her is when  
20 she walked into the Waterfall Bar and Grille along with her  
21 boyfriend John O'Keefe.

22        Now, at 11:58 p.m. just minutes before John ultimately  
23 arrived at the Albert residence, you'll see a video of the  
24 Waterfall of an unsettling interaction, troubling  
25 interaction between Brian Higgins and John O'Keefe. And

1 unlike the lead investigator Michael Proctor in this case,  
2 we won't ignore that evidence.

3 As the bar was closing around 12 midnight, the Alberts  
4 invited everybody back to their house for a get together  
5 just to keep the night going, and you'll learn that Karen  
6 and John ultimately pulled up to the house. They got out of  
7 the SUV to make sure they had the right address. You see,  
8 neither John nor Karen had ever been to 34 Fairview. They  
9 weren't even sure they were at the right address.

10 And the evidence will establish that John got out of  
11 the SUV and went into the house. Let me say that again.  
12 The facts unequivocally - the data, the science, the  
13 witnesses will all unequivocally establish that John  
14 O'Keefe went into the Albert home that night. Eyewitnesses  
15 and forensic data will establish that fact.

16 When he didn't come back out, you'll learn that Karen  
17 grew increasingly frustrated. She got upset. She was left  
18 alone in a car in the cold in the middle of the night with  
19 the car idling. John had got into the house. She expected  
20 him to come back out, and when he didn't, seconds turned  
21 into minutes, and the minutes started to clock away. She  
22 left John a voicemail, then another voicemail, voicemail  
23 after voicemail after voicemail. Text messages. But he was  
24 not responsive. He didn't pick up a single call. He  
25 didn't respond to a single text. The longer he didn't

1 respond, the more upset she got. Commonwealth will  
2 intimate, as they already have in their opening statement,  
3 that these voicemails are evidence that these two were  
4 fighting. The actual evidence in this case, however, will  
5 show the exact opposite. You'll hear that Karen was very  
6 agitated. You'll hear some voicemails where she's  
7 swearing. You'll hear voicemails where she calls him  
8 names. There's name calling. But you'll also hear the  
9 context of those voicemails. And every single one of them,  
10 every single one of those voicemails was left for John  
11 after he failed to come back out of the house, after he  
12 failed to respond to her voicemails and to her texts.

13 Karen believed John had just left her sitting there,  
14 grabbed a beer and was partying with his friends. The  
15 evidence will actually show that Johnny and Karen never had  
16 a crossword, not a single crossword that entire evening  
17 before he left that SUV and went inside the house. And you  
18 will learn what Karen had no absolutely no way of knowing  
19 at the time - it wasn't that he couldn't -- I'm sorry. It  
20 wasn't that he wouldn't respond to her; it's that he  
21 couldn't respond to her. And the evidence will show you  
22 why. Let's talk about that.

23 We'll introduce you to a doctor named Elizabeth  
24 Laposata, a renowned a forensic pathologist, a medical  
25 examiner and a professor at Brown University. She will

1 tell you that the injury to the back of John's head, first  
2 of all, was immediately incapacitating. And that has  
3 meaning. At the moment he suffered that fatal head injury,  
4 he couldn't walk, talk, grab his phone, cry for help,  
5 nothing. He was completely incapacitated, completely  
6 unconscious from the moment he suffered that injury. He  
7 was completely still and incapable of interacting with  
8 anyone or anything. But the doctor will tell you something  
9 more and just as important. She will tell you that John  
10 O'Keefe did not suffer from hypothermia as the Commonwealth  
11 will undoubtedly allege. His body showed no signs of it --  
12 no frostbite, no cold induced injuries to his organs, no  
13 damage based on cold or frost. Ladies and gentlemen, the  
14 scientific evidence and the medical evidence will establish  
15 that John O'Keefe had to be injured somewhere else.  
16 Somewhere warmer and his body had to have been moved out  
17 into the cold.

18 And that's where ultimately at 6:00 a.m., Karen found  
19 him the next morning. You will learn that John did not  
20 have a single injury consistent with being hit by car. Let  
21 me say that again. The evidence will establish that John  
22 did not suffer a single injury on his body consistent with  
23 having been hit by a car. Not one. You'll learn that  
24 John's torso - his ribs, his chest, his arms, his hips, his  
25 legs, his knees, his ankles, his feet, all of it, no broken

1 bones, no fractures, no contusions, no torn ligaments, no  
2 internal injuries. Not even a bruise. Nothing consistent  
3 with a car accident despite the Commonwealth's contention  
4 that he was slammed into by a 6,000 pound SUV, not a  
5 bruise.

6 Dr. Laposata will tell you with medical certainty that  
7 in fact John was not struck by a vehicle. Medically and  
8 scientifically he could not have been struck by a vehicle.  
9 Therefore, as I said, there was no collision.

10 She will tell you that the pattern abrasions on John's  
11 right arm, the pattern abrasions you see over my left  
12 shoulder, they're not the result of being struck by a car  
13 or a taillight. You'll take one look at these injuries,  
14 and you'll agree with Dr. Laposata, the evidence will show  
15 that these injuries are from an animal, like a large dog.  
16 Like a large dog that was inside the Albert house that  
17 night. You'll learn that Brian Albert has, actually  
18 admitted, that he has a large dog, the family dog, is,  
19 quote, not good with strangers, and of course John, never  
20 having been to the house before was a stranger that night.

21 You'll also learn that oddly, very oddly, after having  
22 their family pet for seven years, a short time after this  
23 incident the Alberts got rid of that dog. They called it  
24 rehoming her. She was gone. Dr. Laposata will also tell  
25 you that the injuries to John's head was not the result of

1 falling backward onto a flat lawn - cold or otherwise.  
2 Rather, Dr. Laposata will tell you with medical certainty  
3 that the injury pattern to his scalp was produced by an  
4 impact from a raised or ledged surface, a surface that does  
5 not exist on Brian Albert's front lawn where John was  
6 found. The medical evidence will establish no hypothermia,  
7 no injuries from a car strike, no collision with a motor  
8 vehicle.

9 And forensic analysis of John's cell phone, Mr. Brennan  
10 mentioned that in his opening statement, the Commonwealth's  
11 own expert will ultimately support the exact facts that I  
12 just told you including the temperature data.

13 John O'Keefe was injured someplace warmer, and he was  
14 moved. That alone is reasonable doubt. But there's much  
15 more. You'll also learn that there were many people at that  
16 after hours gathering at Brian Albert's house who would  
17 have left by the front door just feet from where John  
18 O'Keefe's body would have ultimately been had he actually  
19 been there right after 12:30 a.m. This is what the  
20 Commonwealth's claim is. There were nearly a dozen people  
21 who walked out that front door, directly adjacent to the  
22 precise spot where John O'Keefe would have been lying. Not  
23 a single person, not one, not a single person saw a six  
24 foot two, two hundred and sixteen pound man laying sprawled

1 in a front lawn in dark clothing on a light white dusting  
2 of snow. Not one.

3 Then the evidence will also show that every one of  
4 those same people drove by that same spot - not walked by  
5 it - drove by it, to leave the house and still not one of  
6 them saw John laying in the yard when they left between  
7 1:00 a.m. and 2:00 a.m. in the morning.

8 But you know who else you'll find never saw a body on  
9 that lawn? The snowplow driver. A completely independent  
10 witness charged with plowing the streets in Canton that  
11 night. You'll hear that Michael Proctor -- oh, he's not  
12 done yet, Mr. Proctor. You'll hear that Michael Proctor  
13 wrote a report where he claimed that Fairview had not been  
14 plowed that night. You'll learn that that was completely  
15 false. That was a lie. Michael Proctor did not want any  
16 more witnesses. He didn't want the truth, and he falsely  
17 claimed the road was never plowed.

18 You'll learn that he wouldn't look for the plow driver,  
19 but we did. And we found and will introduce you to Brian  
20 Loughran. He plowed Fairview that night, and what he's  
21 going to tell you is that there was no body on that lawn at  
22 2:30 in the morning. You'll learn that Brian Loughran  
23 passed by 34 Fairview traveling right next to Brian  
24 Albert's front lawn, and at 2:30 a.m., John O'Keefe was not  
25 there.



1 But you'll see that the plow driver also provides some  
2 other troubling information, troubling testimony from the  
3 Commonwealth. You'll learn that after making that pass at  
4 2:30 a.m., he showed up with his plow an hour later. He  
5 stopped at the entrance of Fairview. He was looking up  
6 Fairview to decide whether or not to plow it, but he saw  
7 construction. At 3:30 a.m., he looked down the street, and  
8 in that very spot, the very spot precisely where Karen  
9 would later find John's body laying at 6:00 a.m., there was  
10 a car parked in front of it, a Ford Edge. You're going to  
11 ask yourself who's moving the car at 3:30 in the morning  
12 into a blizzard on the side of the road. You'll learn that  
13 Michael Proctor, the lead investigator, he intentionally  
14 ignored this fact as well. He did no investigation to find  
15 out who owned the Ford Edge. But again, we did. And the  
16 evidence will establish that the Ford Edge happens to be a  
17 favorite model of the Albert family. More than one Albert  
18 owned a Ford Edge at the time. You'll learn that those  
19 facts will add to the mounting and the overwhelming  
20 evidence that there was no collision and John O'Keefe's  
21 body was moved onto that lawn.

22 You will find that this is yet additional reasonable  
23 doubt in the case.

24 You'll be introduced to science and physics even from  
25 the Commonwealth's own experts. That science will establish

1 that Karen Read's SUV was not damaged by hitting a  
2 pedestrian and conversely, John O'Keefe's injuries did not  
3 come from being struck by a vehicle.

4 The Commonwealth mentioned triggering events. But what  
5 you'll actually hear from the experts, some of them the  
6 Commonwealth's own experts is that a triggering event is  
7 not evidence of an accident. It does not evidence a  
8 collision. That's why we're here. A collision. And  
9 there's no evidence of one. Zero.

10 You'll also find that those exact sort of triggering  
11 events that the Commonwealth will rely were relatively  
12 commonplace on Karen's SUV and none of them are associated  
13 with a claim of collision.

14 Folks, the science will not lie. The physics cannot  
15 lie. And that science will tell you with certainty, there  
16 was no collision with John O'Keefe. You'll add that to  
17 that rising mountain of reasonable doubt.

18 I want to take you back to the night in question on  
19 January 29, 2022, just for a few minutes. Remember, Karen  
20 had got home after dropping off John, and John walking to  
21 the house. While Karen was asleep at home with John's 13-  
22 year-old niece, what were the people who had been at Brian  
23 Albert's house that night? What were they doing? While  
24 she slept, what you'll find and what the evidence will show  
25 is that they were extremely busy. You'll learn that after

1 a long night of heavy drinking, Brian Higgins left the  
2 Albert residence and he didn't drive home. Rather, he  
3 drove over to the Canton Police Department where he kept an  
4 office at about 1:25 a.m. Not a Canton police officer but  
5 he kept an office there. Why go back to his office at 1:25  
6 a.m.? Why go back to the Canton Police Department at 1:25  
7 in the morning on the night of a blizzard?

8       You'll learn that while there, he made a call at 1:30  
9 a.m. Higgins will later deny that he made that call.  
10 You'll find that curious. And his explanation for that  
11 late-night visit to Canton P.D., you'll find that it  
12 changes nearly every time he's asked about it. You'll  
13 learn that after everyone left Brian Albert's house, Brian  
14 Albert actually claimed he had no contact with anybody else  
15 except his wife. No contact. Until he woke up the next  
16 morning, so he says. Then you'll learn that that, too, is  
17 a complete lie. His phone records establish that he placed  
18 a call to none other than Brian Higgins at 2:22 a.m.,  
19 shortly after Higgins completed that late-night visit over  
20 to Canton PD.

21       You'll wonder, what did they possibly need to talk  
22 about at 2:22 a.m. that night.

23       The evidence will establish that Brian Albert called  
24 Brian Higgins first. Brian Albert then disconnected that  
25 call when Higgins didn't answer it. Seconds later, Brian

1 Higgins returned the call. Brian Albert then did answer  
2 that call. They spoke for 22 full seconds. Had a  
3 conversation, then they both hung up their respective  
4 phones. You'll learn that when they were asked about these  
5 calls in conversations, both Brian Albert and Brian Higgins  
6 lied about it, both of them. They said they never had a  
7 call to each other. When they were confronted with their  
8 own cell phone records and they could no longer deny the  
9 calls, they were asked independently, explain yourself, and  
10 they both came up with the exact same explanation: a butt  
11 dial.

12 The evidence will make you question why did Albert and  
13 Higgins speak at 2:22 a.m., and why did they both try to  
14 cover up that phone call?

15 You'll also learn after this incident and within days  
16 of one another, both Brian Higgins and Brian Albert, both  
17 police officers, both trained investigators, got rid of  
18 their phones, both of them.

19 And what else you will learn Brian Albert got rid of,  
20 shortly after this incident Brian Albert got rid of his  
21 house. The whole thing. Just sold it. His childhood  
22 home, a home that had been in the Albert family for  
23 generations, he literally sold it mere months after this  
24 incident. Dog rehomed. Phones destroyed. House sold.  
25 You'll learn that all of these things happened shortly

1 after the incident where John O'Keefe was found  
2 unresponsive and died on Brian Albert's front lawn.

3 And you'll also learn that Michael Proctor looked the  
4 other way. He did not investigate any of what I'm telling  
5 you. He preselected Karen Read from the start and ignored  
6 everything and everyone else.

7 Let's get back to what was happening with the others  
8 while Karen slept.

9 What you'll learn during this trial is that Brian  
10 Albert's sister-in-law, you heard her name before, Jennifer  
11 McCabe, she was at the Waterfall that night, and she was  
12 over at the Albert's house that evening as well. She left  
13 the after-hours gathering about 2:00 a.m., a little before  
14 2:00 a.m., got home around 2:00 a.m., and you'll learn that  
15 according to Commonwealth's own evidence from forensic  
16 software program called Physical Analyzer made by  
17 Cellebrite, it's considered the gold standard for forensic  
18 tools, you'll learn that a Google search was discovered on  
19 Jennifer McCabe's phone. A Google search that Michael  
20 Proctor and his investigators never revealed to us, but we  
21 found anyway. A Google search that was time stamped,  
22 according to their own data, at 2:27:00 a.m., five minutes  
23 after that 2:22 a.m. call that Higgins and Albert denied  
24 having. And that Google search on Jennifer McCabe's read,  
25 "Hos long to die cold." Hos long to die in cold. Now she

1 misspelled the first word. Hos is supposed to be how, but  
2 the meaning is the same. How long does it take to die in  
3 the cold time stamped 2:27. And then that search was also  
4 noted by the same Cellebrite program as having been  
5 deleted.

6       The evidence will force you to ask why is there a  
7 search on her phone? Why is it logged at 2:27 a.m.? When  
8 the Commonwealth claims that she first learned of John's  
9 death and where his body was but hours later at 6:00 a.m.

10       So what you'll learn that while Karen slept, here what  
11 was actually happening by some other very busy bees. 1:25  
12 a.m., Brian Higgins makes an unexpected visit to Canton  
13 P.D. 1:30 a.m., he make a phone call that he later denies  
14 ever making. At 2:22 a.m., Brian Higgins and Brian Albert  
15 talk. They both deny and lie about having made that phone  
16 call. 2:27 a.m., five minutes later, the Google search  
17 appears on Jennifer McCabe's phone, "Hos to die in cold,"  
18 hours before John's body was ever discovered. A Google  
19 search she denies making and that she later or at least it  
20 was later logged as deleted.

21       Meanwhile at 2:30 a.m., the plow driver confirms that  
22 O'Keefe's body was not on the lawn of Brian Albert's house,  
23 not at 2:30 in the morning. And at 3:30 in the morning,  
24 that area was obstructed by a Ford Edge, a Ford Edge like  
25 the one the Albert really liked to own.

1       The evidence will show in the meantime, Karen dozes in  
2 and out in fitful sleep for the rest of the night only to  
3 awaken just before 5:00 a.m., and that's when she realized,  
4 in a panic, John had never come home. And you'll see, it  
5 wasn't like John to not come home. That morning you will  
6 see and hear evidence that Karen's emotions had morphed.  
7 They'd gone from frustration and anger, which you'll hear  
8 in the voicemails, to abject fear. Fear that something bad  
9 had happened. The evidence will establish by this time,  
10 Karen was panic stricken. She had a feeling something was  
11 very, very wrong. She was unable to get a hold of John.  
12 Karen didn't know where to look for him. She got the  
13 Lexus, and she backed up to leave her garage at 1 Meadows.  
14 You'll hear a lot about that address, 1 Meadows. That was  
15 John's house where Karen was staying.

16       She backed out of the garage, and during the course of  
17 the trial, you'll hear that she actually struck another car  
18 with that right rear taillight.

19       During the course of this trial, the Commonwealth is  
20 going to desperately claim that Karen Read's taillight was  
21 actually damaged by hitting John O'Keefe. They will have  
22 no evidence of it, mind you. None. But they'll make the  
23 claim.

24       We'll show you a video of exactly how that taillight  
25 was originally damaged or exactly what happened at 5:07 in

1 the morning. And the facts will show that it was damaged  
2 in John's own driveway at 5:07 when Karen backed up and  
3 made contact with another car in the driveway. This is  
4 five hours after she dropped John off, and he went into the  
5 Albert residence. As a result, the taillight was minimally  
6 cracked, but it wasn't shattered or damaged or broken, and  
7 that's the condition of the SUV when Michael Proctor got  
8 ahold of it. That becomes important.

9 You'll hear from an independent police officer, an  
10 eyewitness to the damage on that SUV, someone not connected  
11 to Michael Proctor or under his control. And he will tell  
12 you that he saw the taillight damaged before was it in  
13 Michael Proctor's possession, but it was not completely  
14 shattered.

15 And you won't have to speculate how that taillight got  
16 cracked originally. You'll see for yourself. It's on the  
17 video. You'll learn that part of the reason that Karen's  
18 Lexus hit that car at 1 Meadows is because she backed up  
19 looking for him at a time when she was absolutely panicked,  
20 panic stricken and grief stricken. Where was John? Why  
21 hadn't he come home? What happened to him? Is he hurt?  
22 Is he passed out somewhere? Her mind was reeling. The  
23 evidence will establish she wasn't giving anything away.  
24 Everything was on the table. What could have happened to  
25 John? You will learn when she woke up and he still wasn't



1 out, she was just racking her brain on what could have  
2 happened to him, and she was worried about the possible  
3 worst. He got out of the car, he walked to the house, she  
4 was confused and later when she found him at 6:00 a.m. on  
5 the lawn where she last saw him going toward the house, her  
6 mind started reeling, oh, my God, did a plow hit him. Did  
7 I hit him? Could I have hit him? What could have happened  
8 to him? And that video clip that you saw, out of context,  
9 when she said the words, "He did not look like he was  
10 mortally wounded," she's not talking about at midnight.  
11 She's talking about at 6:00 a.m. when she found him.  
12 That's what she's talking about.

13 Your job will be to make sure that the evidence isn't  
14 presented to you too cute by half. She was saying all  
15 those things: Did a plow hit him? Could I have hit him?  
16 Did I hit him? She was saying that to herself and to other  
17 people, and the Commonwealth, very obviously, will try to  
18 seize on that and twist this into some admission. But here  
19 is the actual truth: That's not a confession - could I have  
20 hit him? Did I hit him? Could a plow have hit him?  
21 That's a person trying to make sense of an unexplainable  
22 circumstance, a natural concern, a bereaved significant  
23 other. A woman desperately trying to piece together what  
24 could have happened on this tragic night. John didn't come  
25 home. And the evidence will show that Karen Read never

1 said I hit him. Never. Not in the background of the 911  
2 recording. Not on dash cam video, not on these audio, not  
3 on the police body cam, not to a first responder. It's  
4 never mentioned in a single report, it's never reported in  
5 a single report from January 29, not by one person because  
6 it never happened. The evidence will show that members --  
7 I'm sorry. The evidence will show that there were at least  
8 13 members of law enforcement or first respond and two  
9 civilian witnesses that were intently focused on what was  
10 happening at that scene. They were all over the lawn. They  
11 were all over Karen.

12       Officer Saraf, Mullaney, Good, Lank, EMT Nuttall,  
13 Flummatti, Kelly, Walsh, Woodbury, Whitley, Becker,  
14 McLaughlin, Kerry Roberts, Jennifer McCabe, they were all  
15 there watching and listening. On January 29, when John  
16 O'Keefe was found, not one first responder reported having  
17 heard Karen Read say the words, "I hit him." Not one. Not  
18 one civilian reported having heard Karen Read say, "I hit  
19 him."

20       The facts will show the first improved statement was  
21 ever claimed to have been made was some 24 hour later by a  
22 single EMT in an interview, now listen to this, in an  
23 interview coordinated by a Canton police detective named  
24 Kevin Albert. Brian Albert's brother. And remember Chris  
25 Albert, the other brother, is a board selectman to whom the

1 Canton Police Department reports. And once more, you'll  
2 learn McLaughlin, that's the EMT, that's the single EMT,  
3 the first person to have claimed to have heard this  
4 unrecorded and unreported statement is years long, close  
5 personal friends with a young woman named Caitlin Albert.  
6 You heard that right. Brian Albert's daughter.

7 During the course of this trial, you will become  
8 familiar with and you'll realize the Albert's are indeed a  
9 powerful and indeed an influential family and that will  
10 mean something.

11 You will that there are other major problems in the  
12 prosecution's case. The evidence will establish that  
13 Michael Proctor himself, the lead investigator and  
14 architect of this entire case, has a long-standing personal  
15 relationship with the Albert family. Yes, that same Albert  
16 family. His sister was close friends with Julie Albert.  
17 He sat -- personally sat at head tables at weddings or at a  
18 head table at weddings with the Albert family. He  
19 entrusted the Albert's with babysitting his own children.  
20 You heard that correctly. And yet, he was the lead  
21 detective assigned to investigate the circumstances of a  
22 Boston police officer laying dead on the Albert's front  
23 lawn. That's not just bias you'll learn. That's not just  
24 coincidence. That, folks, is corruption, and you'll see  
25 how far it went.

1 Michael Proctor was alone with all the critical  
2 evidence in this case, alone with Karen Read's phone, alone  
3 with John's phone, alone with video footage, alone with the  
4 taillight material, alone when he claimed to recover  
5 evidence from 34 Fairview. He wrote the search warrants.  
6 He transported the evidence. He secured it. He submitted  
7 it. He did it all. That's Michael Proctor. And he did  
8 without any reasonable oversight.

9 You'll see during the trial that he intentionally lied  
10 and fabricated evidence during the course of this  
11 investigation. He lied on reports, warrants, he lied under  
12 oath. He lied about the time that he actually secured  
13 Karen Read's vehicle. Why? Why would he lie about that?  
14 The evidence will give you the answer. He lied because he  
15 did not want it revealed that he had access to that  
16 vehicle, and he had access to that taillight before any  
17 taillight fragments were found at 34 Fairview. Appreciate  
18 that. He had access to the vehicle before a single piece  
19 of taillight material was ever found at the scene. You'll  
20 find that there were two searches. The first and second  
21 search found zero, nothing. Nothing around John's body.  
22 Nothing in the street. Not one piece of taillight  
23 fragment. But once Michael Proctor had that SUV and had  
24 the taillight in his custody and control, suddenly items  
25 started magically showing up and not just want a few items,

1 46 pieces of bright red taillight laying in the snow  
2 supposedly found in the exact same spot that was searched  
3 not once but twice by independent officers. Came up with  
4 zero.

5 To be clear, you'll learn that before Michael Proctor  
6 had access to that taillight, not a single piece was ever  
7 recovered at 34 Fairview. That will become vital, vitally  
8 important.

9 What about those shards of plastic by the way? What  
10 about this DNA that the Commonwealth mentioned? They're  
11 going to try to dazzle you with the topic of DNA because it  
12 sounds so scientific that DNA was on the taillight. But  
13 you'll learn that there was no DNA on the actual shards  
14 that they claim came in contact with John's arm. None.  
15 There was no blood, no tissue, no skin, no DNA on a single  
16 shard of plastic that they claim cut deep abrasions into  
17 John's arm, the arm that we saw overhead.

18 The DNA that was actually found, the actual science  
19 will show was found outside of the taillight housing where  
20 anyone with access to that vehicle would have touched.

21 And it wasn't just one male's DNA. That exact same  
22 sample, there were three men found - John and two  
23 unidentified males. So unless the Commonwealth is going to  
24 shift their theory that that SUV hit three men that night,  
25 their entire theory falls apart.

1       And speaking of DNA, the evidence will further  
2 establish that John O'Keefe's shoe, the one that he was  
3 wearing was he was found was sampled and that DNA revealed  
4 five, count them, five unidentified males. You'll recall  
5 that the evidence will establish independently that John  
6 was injured someplace warmer and had to be moved onto that  
7 law. Five identified males touching that shoe.

8       You'll also learn that you are not the first person,  
9 not the first to hear about the Commonwealth's theory of  
10 this case that John was hit by an SUV. That's their  
11 theory. The Commonwealth presented this exact same claim to  
12 their own medical examiner, a woman by the name of Irini  
13 Scordi-Bello. And you'll learn that after reviewing law  
14 enforcement -- what's called a law enforcement accident  
15 notifier, with law enforcement's theory of the collision  
16 written in it, defined it, after conducting the autopsy  
17 herself, after examining John's injuries in detail, she  
18 refused to conclude that John's death was a homicide based  
19 on the Commonwealth's presentation and their theory. That's  
20 right. The Commonwealth's own medical examiner will not  
21 deem the manner of death in this case, this case a  
22 homicide. She won't do it. But they're nonetheless back  
23 again trying to present the exact same theory to you in  
24 this trial.

1        Again, the evidence will show that that is reasonable  
2        doubt. Throughout this trial, the Commonwealth will try to  
3        convince you of paranormal events, phones calling  
4        themselves, messages deleting themselves, Google searches  
5        made and then unmade, evidence magically appearance and  
6        evidence magically disappearing. But all that smoke and  
7        all those mirrors will not ever reach their burden because  
8        that's what this case is ultimately about. It's about the  
9        Commonwealth's burden of proof. You'll learn that during  
10       trial, the Commonwealth bears the highest burden known to  
11       our justice system. They must prove every element of every  
12       charge beyond a reasonable doubt and to a moral certainty,  
13       and you'll learn that moral certainty means the highest  
14       level of certainty known in human affairs. It's not a  
15       small thing. They're not going to be able to do that not  
16       when every piece of this case was handled by a disgraced  
17       investigator with a motive to protect his friends, not when  
18       the physical evidence contradicts their very theory, not  
19       when their own medical examiner won't call this case a  
20       homicide based on the exact theory that they're presenting  
21       to you. Not when the conduct of those in the house and the  
22       utter lack of investigation speaks volumes about those who  
23       actually have something to hide.

24       By the end of this trial, you will conclude that Karen  
25       Read is not guilty of hitting John O'Keefe with her SUV.

1 There was no collision. She's a victim of a botched and  
2 biased and corrupted investigation that was never about the  
3 truth, folks. It was about preserving loyalty. You'll  
4 find that this case is the very definition of reasonable  
5 doubt. And at the end of this trial, we'll ask you to  
6 return the only verdicts, all three of them, that are  
7 consistent with the evidence, the science, the truth, and  
8 justice: not guilty, not guilty, not guilty. Thank you.  
9 (Closing arguments end at 11:30 a.m.)

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C E R T I F I C A T I O N

I, CHRISTINE D. BLANKENSHIP, NOTARY PUBLIC, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND ACCURATE TRANSCRIPT FROM THE RECORD OF THE COURT PROCEEDINGS IN THE ABOVE-ENTITLED MATTER.

I, CHRISTINE D. BLANKENSHIP, FURTHER CERTIFY THAT I NEITHER AM COUNSEL FOR, RELATED TO, NOR EMPLOYED BY ANY OF THE PARTIES TO THE ACTION IN WHICH THIS HEARING WAS TAKEN, AND FURTHER THAT I AM NOT FINANCIALLY NOR OTHERWISE INTERESTED IN THE OUTCOME OF THIS ACTION.

Christine D. Blankenship, April 27, 2025

CHRISTINE D. BLANKENSHIP, CVR, NOTARY PUBLIC  
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